

Remarks

Claims 1 and 3-20 are pending in the application, of which claims 1, 6, 9, 14, and 20 are in independent form. Claims 6-8 and 14-16 are allowed.

Claims 1, 3-5, 9-13, and 17-20 stand rejected for obviousness over Shafer U.S. Patent No. 6,483,638, in view of Hagiwara Pub. No. US 2001/0048083. Applicant presents below separate arguments directed to three different subsets of the rejected claims.

First, the rejection of claim 19 appears to be an error because it depends on allowed independent claim 14. Applicant requests, therefore, that claim 19 be indicated as allowed.

Second, each of independent claims 9 and 20 recites the limitation that all of the optical components of the first and second lens group are formed of refractive lens materials. The proposed obviousness combination of Shafer and Hagiwara omits this limitation because Shafer describes a catadioptric imaging system formed with at least one reflective optical element and Hagiwara is cited only for mention of fused silica and fluorine doped silica glass as a reticule substrate material. Moreover, claim 9 also recites that the lens assembly has a numerical aperture of 0.9 for a specified wavelength of 157 nm. The proposed obviousness combination omits this limitation because Shafer operates over a 200 nm-400 nm wavelength range. Applicant requests, therefore, that claims 9 and 20 be indicated as allowed.

Third, the remaining rejected claims include independent claim 1 and its dependent claims 3-5, 10-13, 17, and 18. In his response to arguments, at page 6, the Examiner directs applicant to present claim language that makes clear the difference in performance of the claimed invention and Shafer. Accordingly, applicant has amended claim 1 to recite that the first and second lens groups of the objective lens assembly include no more than eight optical components formed of specially doped fused silica optical material. Support for this limitation with reference to four preferred embodiments can be found in the specification at paragraph [0026] (seven-element objective lens assembly), paragraph [0034] (eight-element objective lens assembly), paragraph [0041] (three-element objective lens assembly), and paragraph [0051] (two-element objective lens assembly). This limitation distinguishes claim 1 and its dependents over the 18-lens optical train of the Shafer microscope, which is capable of transmitting only a nearly imperceptible amount of light and is thereby rendered unserviceable, for the reasons stated on page 7 of applicant's November 15, 2007 amendment. Applicant submits that amended

claim 1 responds to the Examiner's directive and requests that claim 1 and its dependents be allowed.

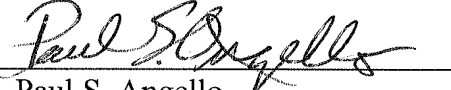
The subject matter of the claims, as amended, is encompassed within the scope of the original claims and should, therefore, not raise new issues that would require further consideration or searching.

Applicant believes his application is in condition for allowance and respectfully requests the same.

The Commissioner is hereby authorized to charge any *additional* fees which may be required in connection with filing of these papers, or credit overpayment, to Account No. 19-4455.

Respectfully submitted,

Edmund W. Arriola

By 
Paul S. Angello
Registration No. 30,991

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Attorney Docket No. 40146/10001:2